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A REPLY

TO CERTAIN CHARGES PREFERRED BY REV. JABEZ SIMS, AGAINST
CHARLES T. DUPONT, VISITING SUPERINTENDENT AT MANITOU-
LIN ISLAND; AND TO THE REPORT OF S. H. STRONG THEREON.

OTTAWA, May 6th, 1868.

SIR,—I have the honor most respectfully to submit for your consideration the following facts in connection with a report made to you by Mr. S. H. Strong, of Toronto, regarding certain charges affecting my private and official character made by the Revd. Jabez Sims, and investigated by him.

My first knowledge of the nature of the charges preferred, and that an investigation was to be held, was obtained in Toronto on the eve of Mr. Strong's starting for the Manitoulin Island. I reached Little Current, situated twenty-five miles from my home and office, by the same steamer that conveyed to that place Mr. Strong, accompanied by the Revds. Drs. O'Meara and Saltern Givins.

We arrived on the Island upon a Friday morning, and I informed Mr. Strong that I should require time, to proceed to Manitowaning to procure official papers and instructions to show, that in many matters complained of, I was not a free agent, and not to be held responsible; as well as other documents material to my defence, and to send for witnesses.

He replied, that any official papers could be put in afterwards, and that he wished I would not detain him for witnesses, until, at least, they were found to be required on my side; but would stay where I was and allow the investigation to proceed that day. Awaiting therefore, the result of the testimony submitted by the Rev. Jabez Sims, and informing Mr. Strong that if he considered anything proven by them, I should call two witnesses to Mr. Sims one, in disproof; I consented not to delay or take time to make any preparations, but to allow the investigation to proceed, and the Rev. Jabez Sims' statements and witnesses to be heard.

At about four in the afternoon at the school-house at Little Current, there being admitted only the Rev. Dr. O'Meara and Saltern Givins as spectators, the Rev. Jabez Sims made his statement (which, with some questions I asked him, for the purpose of more effectually exhibiting his utter disregard of truth, when I should come to call my witnesses), occupied until six o'clock, when Mr. Strong adjourned until 7.30 P.M. On leaving the building, the three Reverend Gentlemen diverged in one direction, Mr. Strong and myself in the opposite direction to where our quarters lay. Mr. Strong came up and took my arm, and the first words that passed between us were from him. He said, "that man (alluding to the Rev. Jabez Sims) is a d—nd fool." I told him he should go on, and he would find out all about it for himself.

At 7.30 P.M. the investigation was resumed, there being again no spectators admitted but the Revds. O'Meara and Givins, when my statement was taken. On my asking Mr. Sims whether he had not followed me along the street calling me a villain and a scoundrel, and calling upon the Orangemen to avenge him, he prevaricated to such a degree, that Mr. Strong used these words to him with great impatience: "I am bound to

tell you, Mr. Sims, that your way of stating things is a very unfair one. You did not follow Mr. Dupont further than Mr. McClarty's house, because he did not go any further. You followed him as far as you could, that's about the amount of it."

After adjourning for that night, Mr. Strong spent the evening with myself and some friends (who comprise all the respectable inhabitants of the place), and from his expressions and conduct fully impressed every one present that I was completely exonerated, and expressed himself in the hearing of parties in his boarding-house, that as the result of his inquiry, the investigation ought never to have been held. The following morning, on resuming the inquiry, there being again none but the Revds. Dr. O'Meara and Givens admitted as spectators, Mr. Strong on opening his papers said, substantially, as follows: "Now, Mr. Sims, I am ready to go on and take further testimony in this matter if you insist upon it; but I think I fully understand it, and that nothing can give me any new light upon it, and I shall report to the Government that no further notice ought to be taken of it. I am not prepared to say, however, that there are not other serious charges against Mr. Dupont." The words, "I shall report to the Government that no further notice ought to be taken of it," are as exactly Mr. Strong's language as it is possible to repeat. He then continued, "You referred to a very excellent example when you referred to your Lord and Master, and it is a pity you did not display more of his spirit." He characterized Mr. Sims' conduct as most unchristian and unwise in not accepting any apology, and said, his correspondence with the *Globe* was very wrong, adding, "George Brown is one of the greatest enemies of our church, and is only too glad to get hold of such a scandal."

He also condemned my giving way to my temper, but said I had very great provocation and had afterwards made an ample apology, which should have been accepted. Mr. Sims replied, that he would have accepted the apology if I had gone in person, instead of sending him a letter. To this Mr. Strong said, that a written apology was always considered much more satisfactory than a verbal one, as a person could afterwards evade the latter.

It was then assented to both by the Revds. Dr. O'Meara and Givens, as well as the Rev. Jabez Sims, that this should be the decision in the matter of the assault, and Mr. Strong turning to me asked if I was satisfied? To which I replied, that it being in my favor, of course I was. On adjourning for dinner in the middle of the day, I had the following conversation with Mr. Strong as we walked together; I said, they will not drop this matter as they have promised, you will see that they will still agitate about it. And he replied, "do you think so, well they won't do much after my report."

On the settlement of the question of the assault, Mr. Strong took up the other charges, and after hearing all that had to be said against me, he appeared to find so little ground for the alleged Indian grievances, that at the conclusion of the investigation, in open Court, before a large number of people, he stated that, "he would be very glad if Mr. Sims and myself would then become friends, as he could then go down and state to the Government that all charges were withdrawn."

The following incident also occurred during the investigation: Mr. Strong said to Mr. Sims that he was accustomed to taking evidence, and knew where a man was telling the truth, and that he considered it distinctly proved, and by his (Sims') own witness, that his assistant in the mission, a man named Henry Fraser, had gone about with a bottle of whiskey in one pocket and a paper defaming me in the other, to procure the signatures of the navvies working upon the road, and other parties who had never seen me nor knew any thing about me; he said it was most disgraceful, and turning to the Revds. Dr. O'Meara and Saltern Givins said, "It is for you gentlemen of the church society to take notice of."

Momentarily overlooking the settlement arrived at in the morning, on the question of the assault, at the conclusion of the hearing of Mr. Sims' witnesses, I called Mr. E. Johnston, a material witness in my defence, in whom, when before he could answer my first question, the Rev. Jabez Sims rose and objected strongly to anything being heard, as Mr. Strong had already settled this matter as previously stated. Mr. Strong assented that it was already settled, and there was no occasion to take any testimony in the matter. Mr. Johnston was therefore not examined nor any other witnesses who were there ready to testify in the matter.

The investigation was then closed, it being 9.30 P.M., and Mr. Strong spent the

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He expressed freely most contemptuous opinions of the Rev. Jabez Sims, and did not leave a doubt in the minds of any that the investigation had resulted entirely in my favor.

On the following morning the steamer *Algoma* arrived very early, and feeling that I was basing my case perhaps too much upon Mr. Strong's pledges, I went down to where he was lodging, and had substantially the following conversation : " Mr. Strong, I desire to know whether you consider any one of the charges made against me has been proved ; for if so, I shall now demand that the investigation be continued and my side heard." He replied, " You know I have already settled the most important charge in your favor. You don't want to keep me here all winter." I said " No ; but very damaging charges have been made against me. I cannot see that one of them has been proved, but if you have any doubt, the investigation must go on."

He repeated, I have already decided in your favor as to the most important charge ; as for the other matters, in writing the evidence so fast, I could not fully weigh it, but I could see nothing of much consequence, and added, " it is a pity you did not say this last night." I said, it having been past nine at night when he concluded hearing Mr. Sims' side, there was no time for me to have produced my witnesses, and that it was now not yet 7 A.M., so that no delay on my side could be complained of. Of this conversation I have the fullest recollection ; and of his statement " I have already settled the most important matter in your favor," I am perfectly ready and willing to make oath to.

However, on the understanding that he was to report in my favor on the question of the assault, I said that if he would send me up the evidence so that I might send him a *résumé* and any counter sworn testimony as to the other charges, I would not insist upon his waiting upon the Island. I may remark here that there was no occasion for hurry on Mr. Strong's part, as both the steamer *Algoma* and the steamer *Waubuno* made later trips than the one he returned by. In support of the foregoing statements I offer herewith the testimony of Thomas Simpson, Esq., M.D., of Manitowaning, Mr. Edward Johnston, store-keeper, and Mr. John McClarty, boarding-house keeper at Little Current. I had an intimation that Mr. Strong's report was unfavorable, but was not aware, on leaving the Island, of its very extraordinary nature, or I could have procured many more statements similar to these.

Mr. McClarty's is an affidavit made before myself, for the reason that there was no other Magistrate in the place. I submit it elsewhere.

LETTER.

MANITOWANING, April 15th, 1868.

DEAR SIR,—In reply to your enquiry respecting certain matters connected with an investigation held by Mr. Strong, at Little Current, in November last, I have the following statement to make.

I was present at Little Current during the investigation. I am not aware of any witnesses except Mr. Phipps and myself being examined in your defence, owing to your being unprepared, your witnesses at a distance, and the limited time of Mr. Strong, who was anxious to return to Toronto by the first opportunity.

The Commissioner was engaged throughout the sitting in examining witnesses brought forward by Mr. Sims to prove certain charges made by him (Mr. Sims) against you.

I was present when you called Mr. E. Johnston to testify respecting the charge of the assault. Mr. Sims objected to his examination on the ground that this charge had been already settled, and Mr. Strong agreed.

Yours truly,

THOS. SIMPSON

C. J. Dupont, Esq., Manitowaning.

LITTLE CURRENT,
Manitoulin Island, May 2nd, 1868.

I, Edward Johnston, of Little Current, hereby declare that I was present at the investigation held by Mr. S. H. Strong regarding certain charges preferred against Mr. C. T. Dupont, Visiting Superintendent of Indian Affairs, by the Reverend Jabez Sims. That I was a material witness in Mr. Dupont's favor, and was called by him to testify regarding the assault complained of by Mr. Sims. That before I could answer Mr. Dupont's first question, the Rev. Mr. Sims rose from his seat and objected strongly to anything being heard on that subject, as it had already been settled by Mr. Strong in Mr. Dupont's favor. That Mr. Dupont therefore assented, and waived asking any more questions or calling any witnesses upon the subject. Mr. Strong's stay upon the Island was only of two days' duration. He lodged in the same house that I did, and freely expressed his sympathy for Mr. Dupont and contempt for the Rev. Mr. Sims, from what he had seen of the two gentlemen and left myself and the public generally fully impressed with the idea that as far as he was concerned his decision would be in Mr. Dupont's favor.

I was present at the conclusion of the inquiry, when so little did Mr. Strong appear to stand against Mr. Dupont from the complaints of the Indians that he stated in open Court that he would be glad if Mr. Sims and Mr. Dupont would there become friends, as he then could go down and state to the Government that all charges had been withdrawn and that he had no report to make.

Deposition of John McClarty.

PROVINCE OF CANADA, } I, John McClarty, of the Village of Little Current, Manitoulin
District of Algoma. } Island, upon oath say as follows:—

That Mr. S. H. Strong, accompanied by the Revs. Dr. O'Meara and Saltern Givins, arrived here by Steamer *Algoma* upon a Friday morning in the early part of November, 1867, to investigate certain charges preferred by the Rev. Jabez Sims, against Mr. C. T. Dupont, the Visiting Superintendent of Indian Affairs. That Mr. Dupont arrived from Collingwood by the same steamer that day. That Mr. Strong put up at my house during his stay upon the Island, which was two days and two nights, he leaving again by the *Algoma* on Sunday morning about nine o'clock. That the Rev. Jabez Sims was sent for to the She-que-an-dah, and arrived in the afternoon when the investigation was commenced, with closed doors, the public not being admitted.

That on Saturday it was proceeded with, and in the evening, the public being admitted, I was present, having also been told by Mr. Dupont that he would call me as a witness.

On the closing of the examination of Mr. Sims' witnesses, Mr. Dupont called Mr. E. Johnson to testify regarding the assault complained of by Mr. Sims, when that gentleman rose and objected to anything being heard on that subject, as it was settled.

Mr. Dupont thereupon deferred asking Mr. Johnson any questions, nor did he call me or any other witness as to the assault. That during Mr. Strong's short stay upon the Island he was upon the most cordial terms with Mr. Dupont, and by his expressions in my house, both in that gentleman's presence and absence, he gave me the impression and left behind him the general impression that he had, so far as he was concerned, settled the matter altogether in Mr. Dupont's favor.

He expressed very contemptuous opinions of the Rev. Jabez Sims, and said in my hearing on Saturday morning that as the result of his investigation on Friday afternoon he thought the matter was not worth the inquiry.

Finally, as shewing what weight he attached to the Indian complaints of their grievances and their treatment by Mr. Dupont, at the close of the inquiry on Saturday morning in open Court, Mr. Strong stated that he would be very glad if Mr. Sims and Mr. Dupont would then and there make friends, so that he could go down and state to the Government that all charges had been withdrawn, and that therefore there was no report to make.

Sworn before me at Little Current this second day of July, 1868.

JOHN McCLARTY.

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And in further support of my statements, I adduce the fact that not one single witness was examined by Mr. Strong in my defence regarding the assault, although, as proved by Mr. Johnston's declaration, they were present and ready to testify. Would I have consented that they should not be heard, or had Mr. Strong any ground for not hearing them had the decision he announced not been in my favor as I have stated? In Mr. Strong's report, he says: "Mr. Dupont, from his defence, seems to be laboring under some misconception of what I stated at the conclusion of the evidence on the charge. I did not, of course, assume as any part of my duty, the office of determining how Mr. Dupont should be dealt with, or even of making any recommendation to you upon the subject. My functions, I conceived to be merely to state what conclusions I drew after hearing the statement of the parties and the evidence as to the charge made. I did indeed, in order to put an end to a discussion which was consuming time uselessly, and which involved irritating recriminations, say that I should make precisely the report upon the head which I have just made, and to show this was so, I extract the following memorandum from my note book, made at the time:

"At the conclusion of the statement made on the several charges, I stated that I thought as to the assault, I should report that the assault was admitted. That it had been a blow struck in heat, and that Mr. Dupont had *promptly* apologised for it, and had also immediately apologised to the Bishop on behalf of the church."—Sir, I ask whether out of Mr. Strong's own mouth I do not sustain my statement, for although his note book does not to the full express what he stated, which I unhesitatingly repeat, was that he would report that no further notice ought to be taken of it." Does it not show that he thus felt that no further notice ought to be taken of it? I ask Sir, had he sent you upon this subject merely this note and the evidence and statements laid before him, would the impression he has produced against me have been "precisely similar," as by the report he has made?

In common justice, I now most respectfully ask that the evidence I was prepared to lay before Mr. Strong on this complaint, touching the character of the Rev. Jabez Sims, and the intense provocation he had for some time been giving, and which culminated in this occurrence which I most sincerely regretted and apologised for at the time—but which Mr. Strong did not think it necessary on my side to hear:—I may have the opportunity of submitting if you consider it necessary, in my defence.

Having been so unfairly dealt with by Mr. Strong, in his report, I now beg that I may be permitted to offer the following analysis of it:

Mr. Strong says: "The ground of complaint in the several documents referred to, not being set forth with clearness before proceeding with the investigation, I extracted as well as I could from the letters and petition, the several accusations against Mr. Dupont, and arranged them in the form of distinct charges, adopting as nearly as possible the language of the parties preferring them."

"And having read these to the Rev. Mr. Sims, the Revds. Dr. O'Meara and S. Givins, (who attended the investigation on behalf of the Church Society), they were adopted by those gentlemen as explicit statements of the complaints against Mr. Dupont."

Charge No. 1 is that Mr. Dupont is tyrannical, overbearing and unjust to the Indians.

Regarding this charge Mr. Strong says: "He thinks it is, if not to the letter, in substance proved. The evidence of all the Indian witnesses though expressed very simply, and bearing chiefly on matters which to Mr. Dupont may appear of very minor importance, is greatly against him as respects this charge, and I am bound to say, that I give credit for truthfulness to every Indian who gave testimony.

I will only under this head refer particularly to one case, that of She-we-ta-gun-an-Ojibbeway of Little Current, who was to my mind very harshly, not to say cruelly dealt

The efforts throughout in Mr. Strong's Report to put the most damaging construction upon every subject when treated as towards me and his equal endeavour to write up the missionary and gloss over his failings, savors much more of the retained counsel than of the impartial judge.

He cannot but say that the evidence submitted to him by the Indians was on matters of very minor importance, and he can find no case of sufficient *gravity* to specify, but that of the selling of the log house of the Indian She-we-tah-gun to Snylie.

He says he gives credit for truthfulness

with. It seems that this poor man had for some years lived in a log house which he had built for himself at Little Current on a piece of land, which when the survey was made came to be included in the village plot. In the spring of the year he went to the sugar bush, but leaving his wife at home. Whilst he was absent, Mr. Dupont sold the lot on which his house stood to a trader named Smylie, and a written notice requiring She-we-tah-gun's removal, was forthwith left with his wife, who took it to her husband in the woods.

Upon his immediate return, he found Smylie in the act of turning his few things out of doors, and he was thus, whilst the snow was upon the ground, left without a roof to shelter him.

Mr. Dupont's conduct in this one instance, is in my judgment conclusive against him on this charge; but in addition to it, the evidence, I think, discloses that he treats the Indians with harshness and unkindness.

to every Indian witness who gave testimony, albeit none of them were sworn. Mr. Strong, I infer from this statement alone, to be as utterly ignorant of Indian character as it is possible for a man to be. It is well known that to gratify revenge, or even almost without a motive, an Indian has little or no regard for truth. If to make a truthful statement in this particular is to militate against me, or be held further proof that I hold the Indians in contempt, it is for me most unfortunate, but it is nevertheless the truth, and I cannot say anything else. And I would appeal to the Hon. Wm. McDougall whether their frequent accusations against him that he obtained the cession of the Manitoulin Island by the influence of whiskey upon the chiefs, and by threatening the Indians by bringing up soldiers to coerce them, is proof to his mind that they are a people given to speaking the truth?

In the case of these particular men, although I do not mean to assert that all their statements are false, most of them are utterly so; and if the matter rests upon a question of veracity, I crave permission to put in testimony to prove them utterly unreliable.

Mr. Strong has strangely overpainted the case of the Indian She-we-tah-gun. And without the least foundation in the evidence laid before him for doing so, he makes the statement "that in the spring of the year he went to the sugar bush *but leaving his wife at home*," here again displaying his total ignorance of the Indian character. The sugar making season is a perfect holiday to the Indians, and they will not be kept by anything from flocking *en masse* to the bush. The schools are emptied. The church service is deserted, and even the most aged and decrepid get out to the sugar carnival. It is a perfectly gratuitous assumption of Mr. Strong to make the case blacker against me *that this man's wife remained in the village in this log house*. Such in fact was not the case, and there is nothing whatever in She-we-tah-gun's statement to support such an assertion.

The facts of this case are simply these: The treaty made by the Hon. Mr. McDougall, in 1862, having reserved from the selection of the Indians as their permanent locations, all village and mill sites, Little Current was surveyed into town-lots and I was instructed to require the Indians of that place to select their 100 acre lots elsewhere. Twelve months or more prior to the sale of the lot

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gave testimony, born. Mr. Strong, alone, to be as uncharacter as it is. It is well known even almost without little or no regard to the truthfulness of the statement militate against the fact that I hold it, it is for me nevertheless the thing else. And Wm. McDougall's accusations against the cession of the influence of and by threatening up soldiers to his mind that they were making the truth? particular men, to assert that all of them, most of them matter rests upon the grave permission of them utterly

overpainted the *ye-tah-gun*. And in the evidence for doing so, he in the spring of the sugar bush but leave again displaying Indian character. is a perfect holdi- they will not be kept *en masse* to the emptied. The and, and even the put out to the sugar to make the case *his man's wife* re- *log house*. Such and there is nothing in his statement to

are simply these: in. Mr. McDougall, from the selection permanent locations, Little Current was and I was instructed that place to select elsewhere. Twelve the sale of the lot

that this man's shanty stood on—he selected his land at Sucker Creek, and his name with others was officially returned by me to the Deputy Superintendent of Indian Affairs. He had his clearance there and his camp, but only as do all the Indians, until one by one the lots upon which their shanties stand are sold. He returned off and on, and loitered about the village.

When Smylie came to the Indian office at Manitowaning and applied for this lot and presented the money in payment for it, it was not within my power to set aside the printed order in Council declaring these lands for sale and say I would not sell it to him, but I made him pay at the same time for the Indian improvements, and wrote the Indian a kind note, informing him that the lot was purchased by Smylie, that I had the money for him for his improvements, or rather log shanty, and that when required by Smylie he must leave it and go to his camp and clearance amongst the other Indians. Knowing full well also that he would not then be occupying his cabin, but with all his family would be in the sugar bush, where they continue until the snow is entirely gone, and then remain to prepare for planting their crops, not returning to the village until after this work is accomplished.

To speak of this case as Mr. Strong does "as in his judgment alone conclusive against me," is in my opinion alone sufficient to condemn Mr. Strong's judgment upon the whole question of the grievances of the Indians, as a man entirely unacquainted with their habits and not competent to arrive at correct conclusions.

This man never complained of any hardship. Nor does he do so in his statement, as regards the time or manner in which he had to relinquish his log cabin, but that he did not wish to have it sold at all, a matter in which I had no choice.

Charge No. 2.—"That he has arrested, fined and imprisoned the Indians, and their children on the most frivolous pretences to gratify his own spite."

Mr. Strong reports: "With regard to charge No. 2, I do not find it established; though I may say in passing that I doubt the reasonableness and fairness of applying the stringent provisions of the Statutes of Henry 6th as to forcible entries and detainers, to trespasses committed by the Indians in entire ignorance of the law.

Mr. Strong does not find this most serious charge of the Revd. Jabez Sims established. Yet in his well kept up character of my prosecutor and counsel for the Church Society, he endeavours to make me appear to have been unreasonable and unfair in applying a statute of Henry 6th to trespasses committed by Indians.

These Indians were arrested on a Bench warrant issued by Judge Prince, and cer-

tainly were not tried before me. What had I then to do in this matter to merit this censure?

It is, I think, a further proof of the *ex parte* nature of Mr. Strong's report, that he should introduce his views in regard to the conviction of these Indians to militate against me, when, as is shown by the evidence submitted to him, I was neither the Magistrate who issued the warrant for their arrest, nor before whom the preliminary examination was held, they being taken to the Sault for that purpose, and when, although ably defended by the Hon. M. C. Cameron, they were found guilty by a jury. I would respectfully call your attention, in connection with these arrests, to a letter from the Rev. Jabez Sims, published in the *Globe* of the 17th of February, 1866, and which is too lengthy to embody in this paper, but which I desire to put in as part of my defence, to show how inconsistent with the opinions he expressed in that letter are his present statements, and how unprincipled he is, when holding in such an estimate the Reverend Gentlemen of the Jesuit Mission, reviling them and charging them with the foulest crimes. He sent a message to say he would now make common cause with them and to ask their assistance in procuring my dismissal, as is proved by the evidence of Henry Corbin, given before Mr. Strong at the investigation. It is evident the Rev. Jabez Sims, to gratify his vindictive feelings, has no scruples of conscience in using what he considers the falsest testimony, and if he will do this, is it not a fair presumption that he would not either hesitate in making the falsest statements himself. As embodying his views regarding the arrest of these Indians for forcible entry, I submit the following resolution of the Church Society of the Diocese of Toronto, based on information furnished that body by Mr. Sims, and forwarded by His Lordship the late Bishop of that Diocese to His Excellency the Governor General.

RESOLUTION.

That whereas, information has reached this Board of a credible character, that the Church of England Mission on the Manitoulin Island is exposed to *peril* and VIOLENCE, from parties now residing upon the Island, who exercise an *undue* and *dangerous* influence over the Indians settled thereon, the Lord Bishop of the Diocese be respectfully requested to appeal to the Government on behalf of the Mission Board of the Church Society of the Diocese of Toronto, for the adoption of such measures as shall give due protection to their Mission, and secure the free exercise of the ministrations of their Missionaries.

(Signed,)

J. BEAVEN.
Chairman.

(True copy.)

S. GIVINS, H. S.

Charge 3.—“That Mr. Dupont has kept breachy animals, viz, boars, sows, &c., which have broken again and again into the Indian crops, and when remonstrated with, has told the Indians to go about their business.

Charge 4.—“That by his conduct in the matter last mentioned, he has driven the Indians from their settlement.

Charge 5.—“That Mr. Dupont has reserved the best locations on the Island for himself and his family.”

Charges 3, 4, and 5, as above, Mr. Strong reports he does not find proved.

Charge 6.—“That Mr. Dupont systematically breaks his promises to the Indians, that he spurns them from the house when they come to see him telling them that he has no time to waste with them, that they must be quiet and get out.

Mr. Strong reports:

I have already under the head of No. 1 said much that bears upon this; in addition, I may remark, I can hardly think it reasonable that Mr. Dupont should deal with the

By the judicious separation of the charges from the place in his report where Mr. Strong deals with them, he gains the double advantage of having the unfavorable accusation first read, and then by dealing with it

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Indians as he admittedly does by refusing to see them at any place but his office and within office hours. These poor people do not understand these regulations, and they feel themselves aggrieved by being subjected to them. Moreover it must be a great inconvenience to Indians coming from a distance to be compelled to wait, perhaps over night, in order that they may have an interview with Mr. Dupont during office hours.

simply as charge No. 6 he can proceed to generalise to my disadvantage as in this case, so that without referring back and re-reading the charge, it might be supposed to be proved.

In his remarks upon this charge, there is not a word applicable to my *systematically* breaking my promises to the Indians, and yet he has not the fairness to say it is disproved, but he proceeds upon a pure assumption upon his part to condemn me for seeing the Indians only at my office, and in office hours: There is nothing whatever in the evidence laid before Mr. Strong to justify this assertion. And I most distinctly state that from first to last nothing whatever was said or hinted at in any way approaching the keeping of office hours.

It is a pure assumption on Mr. Strong's part, and utterly false as a matter of fact.

At any hour, and on any day, I have always been ready and willing to attend, and have constantly attended to any Indian who had business to do with me.

And that I refuse to see Indians at any place but my own house, is an equally incorrect and unsustained assertion. But that I only transact business at my office, within a stone's throw of my house, I cannot see the unreasonableness or unfairness of. Would Mr. Strong have me remove the safe and the land books and official papers to my house, and require the clerk and interpreter to attend there, or should I carry books and papers and money backwards and forwards between the two places?

Charge 7.—That on the 2nd of August, 1867, at Little Current, Mr. Dupont violently assaulted the Rev. Mr. Sims.

Mr. Strong reports upon this subject in the most unfavorable light he can put it for me, saying also, "I have no doubt but that Mr. Sims, after being struck, did say some things which he ought not to have said, but although Mr. Dupont attached weight to this, I do not see that it is within the scope of the enquiry I was authorized to make." He gives also an extract from his note book made at the time, shewing the impression then conveyed to him to be that, "I should report that the assault was admitted, but that it was a blow struck in heat, and that Mr. Dupont had promptly apologized for it, and had also immediately apologized to the Bishop on behalf of the Church," and again in his report "he (Mr. Dupont) very promptly wrote and sent Mr. Sims a *very ample apology*."

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Having already, in the beginning of this paper, dwelt at such length upon this subject, I will now confine myself to asking whether or not Mr. Strong does not convict himself of having held an *ex-parte* investigation. In his statement "*that although Mr. Dupont attached weight to Mr. Sims' conduct subsequent to the blow, I did not see that it was within the scope of the enquiry I was authorized to make.*" Was this justice? was this even-handed and impartial?

I again refer to his extract from his note book as conclusively in my favor, and I beg to ask in what way is to be interpreted his statement, "he, Mr. Dupont, *very promptly* sent Mr. Sims a very ample apology."

What, Sir, is the meaning of the word ample, which Mr. Strong strengthens by the

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prefix of the word "very?" Is it not that it should have been a sufficient and conclusive settlement of the matter?

I have further to remark, that either in the original documents sent by Mr. Strong, or by some error of the copyist, in the papers on the subject laid before the House of Commons, a clause in my letter of apology to Your Lordship the Bishop, of very great importance, is omitted. The letter, as sent down to me, "His (Mr. Sims') first trying to incite mischief among the settlers, then stating a falsehood to Your Lordship to my detriment, and on being required to explain actually accusing me of being the liar, was more than I could bear, and I told him he was a liar."

In the uncontrollable irritation and impulse of the moment, &c., &c.

Whereas the correct reading of this letter, as sent to Mr. Strong, was, "I told him he was a liar, when he replied that I WAS A LIAR, and in the uncontrollable irritation and impulse of the moment," &c., &c.

The omission I consider one of very great importance, and, occurring as it does in the papers as sent in by Mr. Strong, is of a somewhat remarkable nature.

Charge 7.—That Mr. Dupont has cut the Indian hay at Manitowaning.

Mr. Strong reports "I find not proved."

Mr. Strong has stated his charges in the mildest form. The Rev. Jabez Sims' statement over his own signature in a communication to the Superintendent General of Indian Affairs, is, "He has robbed them of their hay at Manitowaning."

Mr. Strong finds it not proved. Is it a creditable thing to the Rev. Jabez Sims to have made such a slanderous statement without the least foundation?

Charge 8.—That Mr. Dupont has slandered the Rev. Jabez Sims.

Mr. Strong reports "I think not established."

Charge 9. That on the occasion of the funeral of a late officer of the Indian Department at Manitowaning, upon the Rev. Jabez Sims refusing to read the burial service of the Church of England at the grave, Mr. Dupont declared he would do so himself, and that if Mr. Sims interfered he would take him by the shoulder and put him out of the Churchyard.

Mr. Strong reports charge 9, Mr. Dupont does not deny.

Dr. Layton the officer referred to, died suddenly of congestion of the brain, as established by a *post-mortem* examination. He had been my brother officer, my neighbor and my intimate friend, and I could not see him buried like a dog for no reason whatever. Previous to his death the Rev. Jabez Sims had been bitterly inimical to him, and on his declining to read the service at the grave, I said I would do so myself.

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Surely I had a right to do this, and I cannot see by what right Mr. Sims assumed to interfere.

If I erred in the manner of expressing myself to him, I can only say that I felt deeply the loss of my friend, and was touched by the cruel indignity proposed to be put by a Christian minister upon his unoffending corpse.

The officer in question had been for seventeen years Surgeon at Manitowaning, where also he had buried two of his children. He was a regular attendant at Mr. Sims' church, and with the latter gentleman, my clerk and myself, comprised all the white men of the place. Tender indeed was this Christian minister's conscience, in declining to give his family the poor consolation of reading the burial service over him.

Charge 10.—That Mr. Dupont has, at political meetings called by himself, slandered Mr. Sims.

Mr. Strong reports:—I think not proved.

Thus, Sir, of eleven most serious and defamatory charges preferred by the Rev. Jabez Sims, for although Mr. Strong has numbered the last one only No. 10, he has two number sevens—making eleven in all. Out of eleven such gross charges thus, every one is found not proved by Mr. Strong, excepting No. 1, which he says is not to the letter proved, and in which his report against me is based on false assumption on his part, and which no facts were adduced to sustain; charge No. 6, where again he draws purely on his imagination for his facts, which he states to be that I do business only in office hours and at my office; charge No. 7, regarding the assault, which I never from the first denied, and charge 9, connected with the interment of the late Dr. Layton.

Seven of the eleven, and the most damaging and slanderous statements of the Rev. Jabez Sims, he finds "not proved."

On handing me the papers in Toronto, Mr. Strong, to whom also I was an entire stranger, said to me, "I do not know Mr. Sims. His letter is a very intemperate one, and I should judge him to be a very vulgar man," in which conclusion I think the facts of this case fully bear him out. Mr. Strong says, with regard to the reliance to be placed on the statements of witnesses, "with the exception of two, Neil Currie and Henry Fraser, I consider them as truthful." That Mr. Strong's judgment in this respect is not infallible, I think, will be shown by the following statement regarding the Rev. Jabez Sims' chief friend upon the Manitoulin Island and witness on his behalf: David Manchester, lately of Ottawa, and now passing under the assumed name of David Moor Smiley upon the Manitoulin Island.

The Affirmation of Hiram Johnston.

PROVINCE OF CANADA, }
District of Algoma.

I do hereby affirm, that I recognize in the person passing under the name of David Moor Smiley, living at Little Current on the Manitoulin Island, a man formerly known as David Manchester, a clothier, formerly living in the City of Ottawa, who, about two years since, disappeared from that city, and who was supposed to have been drowned, a skiff in which he had gone out on the river having been found adrift, and his body having been dragged for, and whose family have subsequently been endeavoring to obtain an insurance on his life.—Signed and affirmed, on board the steamer *Algoma*, this fourth day of May, eighteen hundred and sixty-eight.

HIRAM JOHNSON.

In presence of
Thomas A. Towers,
Wm. Plummer, J. P.

This is the class of man brought by the Rev. Jabez Sims to testify against me by his companions, and his right hand man in the organization of the Orange Lodge, alluded to in the evidence of James McGregor, and whom Mr. Strong says he believes. It is difficult to determine whether the latter gentleman's penetration, or his want of fairness in his dealing with this matter is most to be called in question, but I think he might reasonably have expected the Rev. Jabez Sims to have sustained his charge, by the evidence of at least one respectable man of the neighborhood, before so strongly condemning me.

In conclusion, Sir, I respectfully claim that it is most unfair that the opinion of Mr. Strong, who was but two days in all upon the Manitoulin Island, and who had never before been in any part of the District of Algoma, in which my duties are performed, and who is manifestly utterly and entirely ignorant of the Indian character, should, unless supported by facts, be considered as conclusive against me. Is it to be expected that in so short a visit he could appreciate the influences brought to bear upon the Indians, or does it appear that he took the least trouble to apprehend the difficulties of my position? Has he acquainted himself with the nature of the instructions from the Department of the Government to which I belong, under which I acted, and the nature of which in some instances was distasteful to a portion of the Indians; and is my conduct, as set forth by the evidence submitted to him, such as to merit the utter condemnation he heaps upon me, most carefully abstaining from the least word that could be said in my favor, and insinuating blame for acts he dare not openly censure, and for the performance of which I merited and have heretofore received the full approbation of my Department. Sir, I have faithfully, zealously, efficiently, and honorably discharged my duty. Not one single official act in all the persecution that has been waged against me has been found for which I can be censured, and as regards my private character and personal integrity, my bitterest enemies and slanderers have not dared to breathe or even insinuate a word, as my character is thoroughly and well known. I have never in my life been under the influence of liquor; immorality of any description, I am as free from the taint of, as the day I was born, and I have never in my mature years told a falsehood. Had I been content to do so, or at least to be a party to them, by allowing statements prejudicial to the interests of the Indians to pass uncontradicted, perhaps I would not now have had any occasion to make this defence before you.

Can so much be said with regard to my detractors? I would that even-handed justice might cause as searching an inquiry into their conduct as has been made into mine.

Sir, in this matter you have to deal not merely with my living, but with my reputation, and which however humble an individual I am, is as dear to me as is his to the highest in the land. Am I then the "perfect rowdy and blackguard," the "robber of hay from Indians," the "overbearing, unjust and tyrannical magistrate," "the breaker of laws," and "ignorant man," which the refined and Reverend Jabez Sims has asserted—or does not his total failure to sustain in any way, manner or shape; these utterly unfounded accusations, and for which I am about bringing him before the Courts of Toronto, prove much that I have said of his capacity for giving me provocation which led to the unfortunate assault, and which Mr. Strong reports: "Was a blow given in heat—and was promptly apologized for to Mr. Sims—and also immediately apologized for to the Bishop," and for which, and for which alone, I submit that I do not merit the reproach, "that I am a man totally unfit to hold any office under Her Majesty's Government."

Is this, Sir, to be the reward of Her Majesty's Government for faithful services performed with some personal risk, and much annoyance of a life of six years' isolation and privation from every enjoyment of civilization, when the opposing influences may be set for instance, as that respectable body the Church Society of the diocese of Toronto, on the one side, and on the other, an isolated and absent man on an ice-bound Island, where for weeks and weeks at a time, not a letter or newspaper reaches to inform him of the plans of his enemies.

I have the honor to be, Sir,

Your most obedient servant,

C. T. DUPONT,

Visiting Superintendent Indian Affairs.

To the Hon. H. L. Langevin.

Secretary of State, Ottawa.

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